

# STAFF REPORT

Meeting Date: January 21, 2004

Agenda Item 8

LAFCO CASE NAME & NO.

LAFCO 03-18 S Calleguas Municipal Water District Sphere Α. of Influence Amendment – Selleck

В. LAFCO 03-18 Calleguas Municipal Water District Annexation Selleck

PROPOSALS:

Sphere of Influence Amendment to add approximately 55 acres to the Calleguas Municipal Water District sphere. The Amendment is necessary to accommodate a concurrent annexation request to allow water service for a commercial/retail center.

В. Annexation to the Calleguas Municipal Water District to annex a parcel, a portion of Ventura Blvd. and CA Highway 101, totaling approximately 55 acres, into the Calleguas Municipal Water District in order to provide water service for a commercial/retail center.

SIZE: 55.02 acres

Α.

LOCATION: The site is located south of CA Highway 101 and west of Las Posas

Road. The proposal area is located within the City of Camarillo.

ASSESSOR'S

PARCEL NO: 230-0-020-010

PROPONENT: Calleguas Municipal Water District (CMWD) by Resolution.

NOTICE: The public hearing for the Sphere of Influence Amendment has

been noticed as prescribed by law.

#### **COMMISSIONERS AND STAFF**

COUNTY: CITY:

Steve Bennett John Zaragoza, Vice Chair Kathy Long Evaristo Barajas Alternate: Alternate: Linda Parks Don Waunch

SPECIAL DISTRICT: Jack Curtis Dick Richardson Alternate:

Ted Grandsen

**CLERK:** 

PUBLIC: Louis Cunningham, Chair Alternate:

Kenneth M. Hess

SENIOR PLANNER: **EXECUTIVE OFFICER: LEGAL COUNSEL: Everett Millais** Hollee Brunsky Debbie Schubert Noel Klebaum

# **RECOMMENDATIONS:**

- Certify the Commission has reviewed and considered the information contained in the Mitigated Negative Declaration prepared by the City of Camarillo as lead agency, and adopt the lead agency's Findings and Mitigation Measures contained in City of Camarillo Resolution No. 2003-51.
- Adopt the attached resolution, LAFCO 03-18 S, making determinations and approving the Calleguas Municipal Water District Sphere of Influence Amendment -Selleck
- 3. Adopt the attached resolution, LAFCO 03-18, making determinations and approving the Calleguas Municipal Water District Annexation Selleck

# **GENERAL ANALYSIS:**

#### 1. Land Use:

# A. Site Information

	Land Use	Zone District Classification	General Plan Designation
Existing	The site is currently being used for agriculture.	City: LM (Limited Manufacturing)	City: Office Commercial and Research and Development (Airport North Specific Plan)
Proposed	Commercial/Retail Center	City: LM (Limited Manufacturing), PO (Professional Office), and CPD (Commercial Planned Development)	City: No Change

# B. Surrounding Land Uses and Zoning and General Plan Designations

	Land Use	Zone District Classification	General Plan Designation
North	US HWY 101/ Agriculture	City: R-E Rural Exclusive	City: Highway and Urban Reserve
South	Camarillo Airport	City: M-1 Limited Manufacturing	City: Public Use
East	Retail Commercial	City: CPD (Commercial Planned Development)	City: Commercial
West	Undeveloped/Vacant	City: M-1 (Limited Manufacturing	City: Research and Development

# C. <u>Topography</u>, <u>Natural Features and Drainage</u>

The site is relatively flat with no significant features. It has been graded and farmed with row crops. The site will be graded with 2 – 5 percent slopes to accommodate development and drainage.

# D. Conformity with Plans

The proposal area is within the City of Camarillo. The City has determined that the overall proposed development is consistent with the City's General Plan. The City has approved a General Plan amendment, pre-zoning, and development permits for a commercial/retail center for the site.

# 2. Impact on Prime Agricultural Land, Agriculture and Open Space:

# A. Agricultural Land and Agriculture

The proposal area is being used for agriculture and is shown as "Prime" and of "Statewide Importance Farmlands" on the Important Farmlands Inventory (IFI) map. The proposal area is considered to be prime agricultural land as defined in Government Code Section 56064 as the soils on site are Class I and Class II and has a Storie Index greater than 80.

The site is not under a Williamson Land Conservation Act contract.

The loss of agriculture was addressed in the City of Camarillo's Mitigated Negative Declaration for the proposal, dated August 8, 2003, that found that the loss of agriculture was a less than significant impact for the proposal area.

The proposal area and the surrounding areas are within the City of Camarillo and the SOAR/CURB boundaries for Camarillo. There is exiting urbanized development to the north (US HWY 101), south (Camarillo Airport) and east (retail-commercial center). The proposal is for water service within the City of Camarillo boundaries for an approved use of the site. Although the proposal is a request to allow an extension of water service to the site, it is already located within an urban area and has been planned for development.

The Office of the Agricultural Commissioner reviewed the proposal and had no comments.

# B. Open Space

N/A

# 3. Population:

According to the Registrar of Voters there are no registered voters within the proposal area. Given this information, the proposal area is considered uninhabited in terms of LAFCO proceedings.

# 4. Services and Controls – Need, Cost, Adequacy and Availability:

#### A. City of Camarillo Services

The proposal area is located within the City of Camarillo and the City has and will continue to service the proposal area.

# B. Water

#### Potable Water:

The proposal is a request to amend the sphere of influence and annex to the Calleguas Municipal Water District (CMWD). Water will be supplied by both CMWD as a water wholesaler and by the City of Camarillo as a retail water

LAFCO 03-18S & 03-18 Calleguas Municipal Water District Sphere of Influence Amendment and Annexation – Selleck January 21, 2004 Page 4 of 8 agency. CMWD and the City of Camarillo have indicated that their services can be extended immediately upon the annexation and development of the site. The City of Camarillo will supply water through new and existing infrastructure. The developer will pay for any initial construction costs. On-going maintenance and operational costs will be financed by water sales to the City of Camarillo and other general revenues of CMWD. The CMWD and the City of Camarillo have indicated that water supplies are adequate for the proposed use of the site, consistent with Government Code Section 65352.5.

# Water for Irrigation Services:

The proposal area is already within the Pleasant Valley County Water District (PVCWD). PVCWD provides non-potable water for irrigation purposes. All areas within the PVCWD pay a small property tax surcharge in addition to the base one percentage of assessed value tax. The District has water lines to the site and would be able to serve the proposal area if requested. The property owners of the proposal area have not yet indicated whether or not they will utilize PVCWD water for landscape irrigation for the proposed commercial/retail center.

LAFCO policies encourage logical boundaries that coincide with existing and planned services. There would be no need for the proposal area to remain in the boundaries of the PVCWD and pay additional property taxes if the property owners never utilize the water services available. Therefore, a condition is recommended, as part of the annexation proposal, to require that the annexation not be recorded until the Executive Officer has proof that the property owner(s) have executed and recorded a covenant, binding on future owners, heirs and assigns, consenting to the detachment of their property from the PVCWD if, on or before January 1, 2009, there has been no construction of PVCWD water facilities to the property for irrigation water services.

# C. Schools

N/A

#### 5. Boundaries and Lines of Assessment:

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

A map sufficient for filing with the State Board of Equalization has been received from the proponents.

# 6. Assessed Value, Tax Rates and Indebtedness:

The proposal is presently within tax rate areas 07264 (\$1.078097) and 07265 (\$1.078097). Upon completion of this annexation the area will be assigned to new tax rate areas.

The total assessed land value for the parcel per the 2003-2004 tax roll is \$505,276.

# 7. Environmental Impact of the Proposal:

The City of Camarillo is the lead agency for this proposal as the City processed the permit approvals for the proposed project. The City prepared and certified a Mitigated Negative Declaration (#2002-34) pursuant to Section 15070 of the State CEQA Guidelines. The MND proposes mitigation measures in the following areas to lessen any environmental impacts so that they can be considered less than significant:

- Aesthetics Visual Character
- Air Quality Construction Impacts
- Transportation Traffic impacts

The MND was made available for review at the Ventura LAFCO office and is also made available at the LAFCO meeting for review.

# 8. Regional Housing Needs

As a special district, the Calleguas Municipal Water District is not required to meet or consider any regional housing needs criteria or impacts. This proposal will have no effect on the fair share of the regional housing needs for the area.

# 9. Landowner and Annexing Agency Consent:

The CMWD certifies that all owners involved in this proposal have given their written consent to annex and has requested that the Commission waive conducting authority proceedings.

# **SPECIAL ANALYSIS:**

#### Sphere of Influence Amendment:

Government Code §56425 (e) requires that in determining the sphere of influence of each local agency the Commission shall consider and prepare a written statement of its determinations with respect to certain factors prior to making a decision:

The present and planned uses in the area, including agricultural and open space lands.

Although the site is being used for agriculture, the proposal area is within an urbanized area and within the City of Camarillo boundaries. The proposal area is also within the SOAR/CURB boundaries for Camarillo. The City has approved permits for the future development of a commercial/retail center. The sphere amendment, and concurrent annexation proposal for water service will accommodate water needs for the future development.

<u>Describe the present and probable need for public facilities and services in the area.</u>

The City of Camarillo has approved development permits for the proposal area. The proposed future use is for a commercial/retail center. There will be an immediate need, upon completion of any project, for public services. The proposed sphere amendment and subsequent annexation to the CMWD will allow the site to receive water services.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

Potable water will be supplied by both the Calleguas Municipal Water District (CMWD) as a water wholesaler and by the City of Camarillo as a retail water agency. CMWD and the City of Camarillo have indicated that their services can be extended immediately upon the annexation and development of the site. The City of Camarillo will supply water through new and existing infrastructure. The developer will pay for any initial construction costs. On-going maintenance and operational costs will be financed by water sales to the City of Camarillo and other general revenues of CMWD. The CMWD and the City of Camarillo have indicated that water supplies are adequate for the proposed use of the site.

The existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

There are no social or economic communities of interest in the area that are relevant to the Sphere of Influence Amendment.

# **ALTERNATIVE ACTIONS AVAILABLE:**

- A. If the Commission, following public testimony and the review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and review of materials submitted with this application wishes to modify or deny the recommended action, a motion to modify or deny should include adoption of this Report and all referenced materials as part of the public record.

#### PREPARED FOR THE COMMISSION BY:

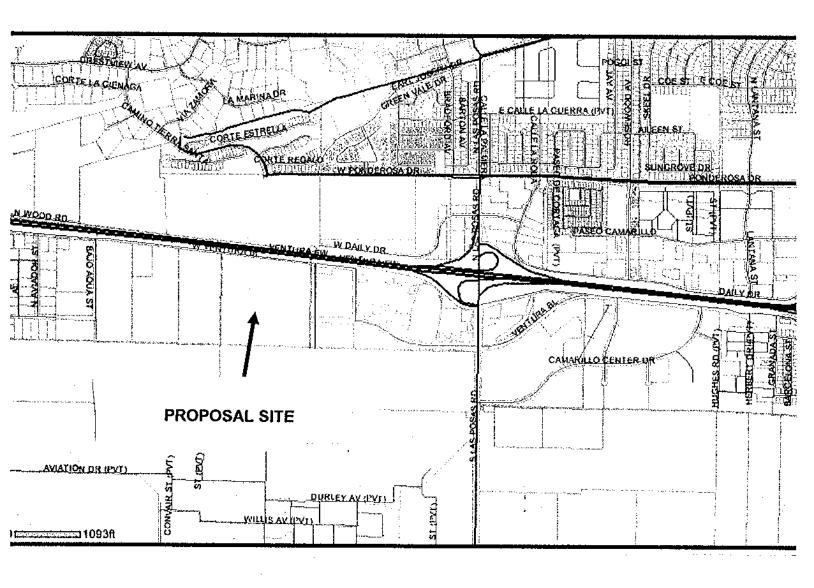
Hollee King Brunsky, AICP, Senior Planner

Everett Millais, Executive Officer

Attachments: (1) Vicinity Map

(2) LAFCO 03-18 S Resolution (3) LAFCO 03-18 Resolution

# **Attachment 1**



# CALLEGUAS MUNICIPAL WATER DISTRICT LAFCO 03-18 LAFCO 03-18 S1 VICINITY MAP

(Not to Scale)

#### **LAFCO 03-18 S**

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE CALLEGUAS MUNICIPAL WATER DISTRICT SPHERE OF INFLUENCE AMENDMENT – SELLECK

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Government Reorganization Act of 2000; and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the consideration of the proposal by the Commission; and

WHEREAS, the proposal was duly considered on January 21, 2004; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the request including, but not limited to, the Executive Officer's report and recommendation; and

WHEREAS, the Ventura Local Agency Formation Commission finds the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Ventura County;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The Executive Officer's Staff Report and Recommendation for approval of the proposal dated January 21, 2004 is adopted.
- (2) The Commission has considered the criteria set forth in Government Code Section 56425(e) and determines as follows:

The present and planned uses in the area, including agricultural and open space lands.

Although the site is being used for agriculture, the proposal area is within an urbanized area and within the City of Camarillo boundaries. The proposal area is also within the SOAR/CURB boundaries for Camarillo. The City has approved permits for the future development of commercial office space and research park facilities. The sphere amendment, and ultimate annexation of the proposal area for water service will facilitate the future development.

<u>Describe the present and probable need for public facilities and services in the area.</u>

The City of Camarillo has approved development permits for the proposal area. The proposed future use is for office commercial and research park facilities. There will be an immediate need, upon completion of any project for public services. The proposed sphere amendment and subsequent annexation to the CMWD will allow the site to receive water services.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

Water will be supplied by both the Calleguas Municipal Water District (CMWD) as a water wholesaler and by the City of Camarillo as a retail water agency. CMWD and the City of Camarillo have indicated that their services can be extended immediately upon the annexation and development of the site. The City of Camarillo will supply water through new and existing infrastructure. The developer will pay for any initial construction costs. On-going maintenance and operational costs will be financed by water sales to the City of Camarillo and other general revenues of CMWD. The CMWD and the City of Camarillo have indicated that water supplies are adequate for the proposed use of the site.

The existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

There are no social or economic communities of interest in the area that are relevant to the Sphere of Influence Amendment.

- (3) Said Sphere of Influence Amendment as set forth in Exhibit A and attached hereto is hereby approved as submitted.
- (4) The subject proposal is assigned the following short form designation:

  LAFCO 03-18 S1 CALLEGUAS MUNICIPAL WATER DISTRICT

  SPHERE OF INFLUENCE AMENDMENT SELLECK

- (5) The Commission has reviewed and considered the information contained in the Mitigated Negative Declaration (2002-34) prepared by the City of Camarillo as lead agency for the proposal, and makes a specific determination that the Mitigated Negative Declaration and Mitigation Measures as adopted by the lead agency adequately address the proposal [Section 15070 et al].
- (6) The Commission directs staff to file a Notice of Determination in the same manner as a lead agency under Section 15075.

This resolution was passed and adopted on January 21, 2004.

AYES:		
NOES:		
ABSTAI	NS:	
Dated:	Chair, Ventura Local A	Agency Formation Commission
Copies:	Calleguas Municipal Water District Ventura County Elections Ventura County Planning Ventura County Auditor	City of Camarillo Ventura County Surveyor Ventura County Assessor

That portion of Parcel B, Lot 1, Subdivision 57, Rancho El Rio De Santa Ctara O'La Colonia, in the City of Camarillo, County of Ventura, State of California, said Parcel B is shown on the map recorded in the office of the County Recorder of said County in Book 3, Page 12 of Miscellaneous Records. Sheet 1of 1 CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION M. No. 1017 可 Daniel Engineering Planning/Civil Engineering Location Map - N.T.S. 1490 Loma Dr., Suite A Opt. CA 83023 / (805) 646-6583 / 2/2/2 SPHERE OF INFLUENCE AMENDMENT ジーガイ LAFCO 03-18 S1 200 Dennis J. Daniel, RCE 21,01 179.62 179.49 1475.21 1723.21 1475,16 1474.21 1471.08 1544,60 55.02 Gross Acres - 6.03 Road Acres 48.99 Net Acres ROAD COURSES COURSES 6.03 Acres N 00°22'00" W N 00°22'00" W W \*00.95\*68 N N 82°58'34" W S 00"40'00" E \$ 82\*58'34" E S 00\*40'00" E \$ 82,58'34" October 1, 2001 Sud-3rd 1st -4thá ţ, ó ά W. VENTURA BLVD Annexation No. 68
(Home Depot)
Calleguas Municipal Water District
Certificate of Completion
Doc. No. 2001-0068220-00 O.R. W. DAILY DR. Existing Calleguas Municipal Water District Boundary Feet N € ଳ 800 P.O.B.
The S'LY terminus of the 3rd course of Parcel C of Annexation No. 33 to Callegues Municipal Water District. Calleguas Municipal Water District Board of Supervisors ~ 12/8/53 Proposed Annexation Boundary Doc-2000-0183659-00 O.R. (m) Resolution No. 419.2 W. VENTURA BLVD. 8 Formation 4 ٥  $\odot$ 400 Ø VENTURA FWY. Certificate of Completion Doc. No. 91-175844 ~ 11/27/91 Calleguas Municipal Water District Annexation No. 33 Parcel C

DISTRICT OF SOUTHERN CALIFORNIA THE METROPOLITAN WATER TITLE ENGINEERING TEAM

# CALLEGUAS MUNICIPAL WATER DISTRICT SPHERE OF INFLUENCE AMENDMENT – SELLECK LAFCO 03-18 S1

LUBIT A

That portion of Parcel B, Lot 1, Subdivision 57, Rancho El Rio De Santa Clara O'La Colonia, in the City of Camarillo, County of Ventura, State of California, said Parcel B is shown on the map recorded in the office of the County Recorder of said County in Book 3, Page 12 of Miscellaneous Records, described as follows:

Beginning at the southwest corner of the parcel described in the Quitclaim Deed recorded on November 20, 2000 in the office of said County Recorder as Document No. 2000-0183659-00 of Official Records, said corner also being the southerly terminus of the 3<sup>rd</sup> course of Parcel C of Annexation No. 33 to Calleguas Municipal Water District, described in the Certificate of Completion recorded on November 27, 1991 in the office of said County Recorder as Document No. 91-175844 of Official Records; thence, along the west line of said Quitclaim Parcel and the northerly prolongation thereof and also along said 3<sup>rd</sup> course.

- 1st North 00°22'00" West 1723.21 feet to the boundary of the Formation of said Calleguas Municipal Water District, adopted by the Board of Supervisors of said County on December 8, 1953 in Resolution No. 419.2; thence, along the boundary of said Formation,
- 2nd South 82°58'34" East 1475.21 feet to the intersection with the northerly prolongation of the east line of said Quitclaim Parcel, said intersection also being the northerly terminus of the 3<sup>rd</sup> course of Annexation No. 68 (Home Depot) to said Calleguas Municipal Water District, described in the Certificate of Completion recorded on April 17, 2001 in the office of said County Recorder as Document No. 2001-0068220-00 of Official Records; thence, thence, along said 3<sup>rd</sup> course and along the boundary of said Quitclaim Parcel by the following two courses:
- 3rd South 00°40'00" East 1544.60 feet; thence, leaving the boundary of said Calleguas Municipal Water District,
- 4th North 89°56'00" West 1471.08 feet to the point of beginning.

2.857 Gross Acres - 0.000 Road Acres = 0.000 Net Acres

Dennis J. Daniel, RCE 21,017

Date

2000:\01-30 leg.doc ~ October 1, 2001

#### LAFCO 03-18

# RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION – SELLECK

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Government Reorganization Act of 2000; and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the consideration of the proposal by the Commission; and

WHEREAS, the proposal was duly considered on January 21, 2004; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the request including, but not limited to, the Executive Officer's report and recommendation; and

WHEREAS, information satisfactory to the Commission has been presented that all the owners of land within the affected territory have given their written consent to the proposal; and

WHEREAS, the Ventura Local Agency Formation Commission finds the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Ventura County;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

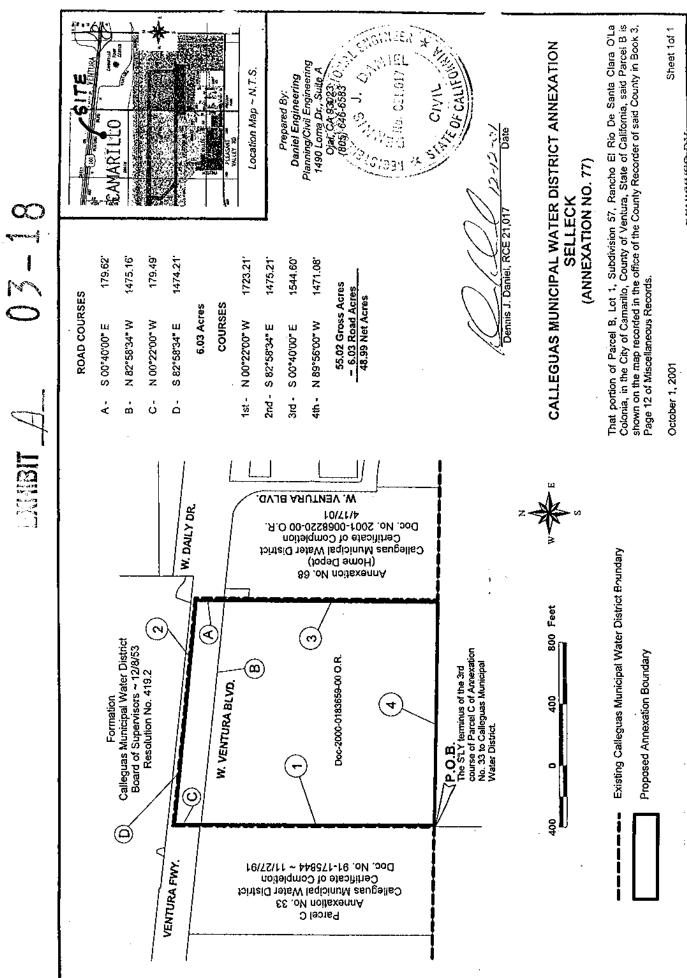
- (1) The Executive Officer's Staff Report and Recommendation for approval of the proposal dated January 21, 2004 is adopted.
- (2) Said annexation as set forth in Exhibit A and attached hereto is hereby approved as submitted.
- (3) Said territory is found to be uninhabited.
- (4) The subject proposal is assigned the following short form designation:

# LAFCO 03-18 - CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION – SELLECK

- (5) The boundaries of the affected territory are found to be definite and certain as approved.
- (6) The Commission has reviewed and considered the information contained in the Mitigated Negative Declaration (2002-34) prepared by the City of Camarillo as lead agency for the proposal, and makes a specific

- determination that the Mitigated Negative Declaration and Mitigation Measures as adopted by the lead agency adequately address the proposal [Section 15070 et al].
- (7) The Commission directs staff to file a Notice of Determination in the same manner as a lead agency under Section 15075.
- (8) This annexation shall not be recorded until and unless Calleguas Municipal Water District provides the Executive Officer with a certified copy of a resolution by Calleguas Municipal Water District accepting the terms and conditions of Metropolitan Water District of Southern California and directing the annexation of the proposal area depicted on Exhibit A.
- (9) The annexation shall not be recorded until the Executive Officer has proof that the property owner(s) have executed and recorded a covenant, binding on future owners, heirs and assigns, consenting to the detachment of their property from the Pleasant Valley County Water District if, on or before January 1, 2009, there has been no construction of PVCWD water facilities to the property for irrigation water services.
- (10) The Commission waives conducting authority proceedings, since satisfactory proof has been given that the subject property is uninhabited, that all landowners within the affected territory have given their written consent to the proposal, and that all affected agencies that will gain or lose territory as a result of the proposal have consented in writing to the waiver of conducting authority proceedings. [Government Code Section 56663].

inis resc	olution was passed and adopted on Janu	ary 21, 2004.
AYES:		
NOES:		
ABSTAIN	NS:	
Dated:	Chair Vantura Lacal A	Name of Farmation Commission
	Chair, ventura Locai F	Agency Formation Commission
Copies:	Calleguas Municipal Water District Ventura County Elections Ventura County Planning Ventura County Auditor	City of Camarillo Ventura County Surveyor Ventura County Assessor



DISTRICT OF SOUTHERN CALLFORNIA THE METROPOLITAN WATER TITLE ENGINEERING TEAM

12/13/2001 \$ יא א א רו

# CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION SELLECK (ANNEXATION NO. 77)

That portion of Parcel B, Lot 1, Subdivision 57, Rancho El Rio De Santa Clara O'La Colonia, in the City of Camarillo, County of Ventura, State of California, said Parcel B is shown on the map recorded in the office of the County Recorder of said County in Book 3, Page 12 of Miscellaneous Records, described as follows:

Beginning at the southwest corner of the parcel described in the Quitclaim Deed recorded on November 20, 2000 in the office of said County Recorder as Document No. 2000-0183659-00 of Official Records, said corner also being the southerly terminus of the 3<sup>rd</sup> course of Parcel C of Annexation No. 33 to Calleguas Municipal Water District, described in the Certificate of Completion recorded on November 27, 1991 in the office of said County Recorder as Document No. 91-175844 of Official Records; thence, along the west line of said Quitclaim Parcel and the northerly prolongation thereof and also along said 3<sup>rd</sup> course.

- 1st North 00°22'00" West 1723.21 feet to the boundary of the Formation of said Calleguas Municipal Water District, adopted by the Board of Supervisors of said County on December 8, 1953 in Resolution No. 419.2; thence, along the boundary of said Formation.
- 2nd South 82°58'34" East 1475.21 feet to the intersection with the northerly prolongation of the east line of said Quitclaim Parcel, said intersection also being the northerly terminus of the 3<sup>rd</sup> course of Annexation No. 68 (Home Depot) to said Calleguas Municipal Water District, described in the Certificate of Completion recorded on April 17, 2001 in the office of said County Recorder as Document No. 2001-0068220-00 of Official Records; thence, thence, along said 3<sup>rd</sup> course and along the boundary of said Quitclaim Parcel by the following two courses:
- 3rd South 00°40'00" East 1544.60 feet; thence, leaving the boundary of said Calleguas Municipal Water District,
- 4th North 89°56'00" West 1471.08 feet to the point of beginning.

2.857 Gross Acres - 0.000 Road Acres = 0.000 Net Acres

Dennis J. Daniel, RCE 21,017

Date

2000:\01-30 leg.doc ~ October 1, 2001